

Texas SOR

Legal Determinations and Registration of non-Texas offenders



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TOPICS

Unit 1.00

- Who is Required to Register?
- Non-Texas Determinations
 - Substantially Similar Offense (SSO)
 - Extra-Jurisdictional Offense (EJO)
 - Board Imposed/Court Ordered Offense (BOO/COO)
 - Interstate Compact Condition Offense (ICC)
- Sex Offender Registration Notification Act (SORNA)
- Questions

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WHO IS REQUIRED TO REGISTER? Unit 1.00

Does this person have a duty to register as a Sex Offender in Texas?

- Residing 7 or more days in your jurisdiction,
OR
- Attending school, working, or carrying on a vocation in Texas

AND

- Has a substantially similar offense (SSO),
- Is required to register per an Extra-Jurisdictional agreement (EJO),
OR
- Is required to register as a condition of supervision (BOO/COO/ICC)

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IMPORTANT NOTES Unit 1.00

- Review court documents, criminal history is not always accurate
- If needed, contact your Field Representative for assistance
- A person's duty to register or not register in another state has no impact on a duty to register in Texas
- A person required to register for an out-of-state adjudication of delinquent conduct can petition a Texas juvenile court to be Deferred from registering or register Non-Public §62.354

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

§62.001(5)(H) & (I)

- Conviction or adjudication of delinquent conduct on or after Sept. 1, 1970, for an offense with substantially similar elements
- **NO DEFERRED ADJUDICATIONS**

Unit 1.01

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

§62.003


DPS determines if offenses under the laws of:

Out of State
Out of Country
Federal
Military
Tribal

are substantially similar to Texas offenses

Unit 1.01

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

Determinations require the following:

- ✓ Offense Literal of the other State
- ✓ Statute Citation of the other State
- ✓ Date of offense
- ✓ * Victim's age at the time of offense
- ✓ * Offender's age at the time of the offense

Unit 1.01

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

Requesting Court Documents

- ✓ Run a QR Criminal History / III Record Request through NCIC
 - Review any and all possible reportable offenses
 - Identify the state / county / court / arresting agency to request documents
- ✓ Search the internet for the county's criminal court records clerk's office (could be District/Circuit/Superior clerk of court) to request documents
 - Some courts have online record searches, which should provide at least the case #, disposition, and disposition date. In some cases, court documents are available online.

Unit 1.02

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

Requesting Court Documents (other resources)

- The repository for the state's sex offender registry, either where originally convicted or previously lived. Running a QXS Query Sex Offender in NCIC can assist with a list of states offender is/has been registered. Navigate to Texas, State, and National Contacts on the Secure Site to access a list of contacts for other state's SOR Agencies.
- The Department of Corrections or Probation Office for the state/county where convicted for the reportable offense.
- The arresting agency for the reportable offense.
- The District Attorney's Office that prosecuted the individual.

Unit 1.02

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

Requesting Court Documents (other resources)

- **Federal Cases:** Contact your local US Marshal. Or create an account on the Public Access to Court Electronic Records (PACER) website. Searches are generally 10¢ per page. However, fees are waived if you do not go over \$30 in a quarter.
- **Military Cases:** Contact the National Sex Offender Targeting System (NSOTC) agency liaison at (703) 740-8543 to request military court records.

Unit 1.02

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Requesting documents for **Doe, John Michael** DOB Jul 01, 1984:

Case # CR12345:
Disposition Date: 03/16/2021
Offense: Aggravated Sexual Assault of a Child

Please send non-certified copies of the following documents for all cases / offenses listed above:

- Indictment / Information / Criminal Complaint / Charging Instrument (included amended)
- Plea Agreement (if dismissed and/or reduced offense(s))
- Judgment / Sentence (including final, amended, nunc pro tunc, or Motion to Dismiss)
- Appeal mandates (if modifies or reverses the disposition)
- Discharge / Release from sentence order


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- Motion to Dismiss)
- Appeal mandates (if modifies or reverses the disposition)
- Discharge / Release from sentence order

We need these documents to make a determination regarding the individual's duty to register as a sex offender in Texas. The documents can be emailed to My.Email@AnytownPD.net, faxed to (555) 222-3456, or mailed to the address listed below.

Request for waiver of fee: Because this information is needed in order to properly register the individual and disclosure of the court records is in the public's interest as it affects the community as a whole and helps the court and law enforcement meet their responsibilities to the public; and because Anytown Police Department (ORI TX0001234) is not a for-profit business, I request any fees assessed for the above requested documents be waived.

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SUBSTANTIALLY SIMILAR OFFENSE (SSO)

Reviewing Court Documents

- ✓ Court documents will look different from state to state, and even from county to county within the same state.
- ✓ Contact your Field Representative if you have any questions.
- ✓ If you have confirmed the offense(s) convicted/adjudicated, the next step is to review the Determination List on the Secure Site.

Unit 1.02

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Reading a Determination List

Unit 1.03

- DPS maintains lists of offenses that have been pre-determined
- These lists are not exhaustive
- If you are unsure about an offense on / not on the list, please contact your field rep

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Popular Searches	Non-Texas Offense Determination
SID Search	About
Name Search	Chapter 62 of the Code of Criminal Procedure (Texas Sex Offender Registration Program) requires a person with a "reportable conviction or adjudication" to register with the local law enforcement authority of the municipality or county where the person resides. "Reportable conviction or adjudication" includes a conviction or adjudication of delinquent conduct under the laws of another state for an offense containing elements that are substantially similar to the elements of a Texas offense that requires registration. For purposes of Chapter 62 of the Code of Criminal Procedure, the Texas Department of Public Safety ("Department") is responsible for determining whether an offense under the laws of another state contains elements that are substantially similar to the elements of an offense under the laws of this state. *This is not an exhaustive list of non-Texas offenses that require registration. If an offense is not on this list and you believe the offense may require registration, please contact the Sex Offender Registration Unit for a determination.
Map Search	Determinations under the Laws of Another State
Texas Secure Sex Offender Registry	AK AL AR AZ CA CO CT DC DE FL GA HI IA ID IL IN KS KY LA MA MD ME MI MN MO MS MT NB NC ND NH NJ NM NV NY OH OK OR PA RI SC SD TN UT VA VT WA WI WV WY
Notices, Forms, Resources	Determinations under Federal Law, Laws of a Foreign Country, Uniform Code of Military Justice, US Territories, and Texas Statutory Predecessors
Texas, State, and National Contacts	Australia Federal Greece Guam Military Puerto Rico Texas Statutory Predecessor
Non-Texas Offense Determinations	
SORNA Portal Task Management	
Account Management	
My Account	
New User Signup	

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Louisiana Offense	Offense Date	Texas Offense
§14:78, Incest		
marriage	8/15/1985-9/17/2013	Not substantially similar to a Texas reportable offense
intercourse	8/15/1985-9/17/2013	\$25.02, Prohibited sexual conduct
§14:78.1, Aggravated Incest		
(B)(1)	8/15/1985-9/17/2013	Please contact the Department for further information
(B)(2) and the victim is younger than 17 years of age		\$21.11(a)(1), Indecency with a child by contact
(B)(2) and the victim is at least 17 years of age		\$43.25(b), Sexual performance by a child
§14:80, Carnal knowledge of a juvenile		
victim is under 17 years of age	8/15/1990-present	\$22.011(a)(2), Sexual assault of a child
§14:80, Felony carnal knowledge of a juvenile		
victim is 13 years of age or younger	1/1/1996-present	\$22.021(a)(2)(B), Aggravated sexual assault of a child
victim is 14-16 years of age	1/1/1996-present	\$22.011(a)(2), Sexual assault of a child
§14:80.1, Misdemeanor carnal knowledge of a juvenile		

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§14-80.1, Misdemeanor carnal knowledge of a juvenile		
	1/1/2001-present	§22.011(a)(2), Sexual assault of a child
§14-81, Indecent behavior with juveniles		
indecent behavior upon the child-intercourse	1968-8/14/2006	§22.011(a)(2), Sexual assault of a child
indecent behavior upon the child-contact	1968-8/14/2006	Please contact the Department for further information
indecent behavior in the presence of the child	1968-8/14/2006	§21.11(a)(2), Indecency with a child by exposure
(A)(1), Indecent behavior upon the child – intercourse and child is age 14 or older	8/15/2006-present	§22.011(a)(2), Sexual assault of a child
(A)(1), Indecent behavior upon the child – intercourse and child is under the age of 14	8/15/2006-present	§22.021(a)(2)(B), Aggravated sexual assault of a child
(A)(1), Indecent behavior upon the child – contact	8/15/2006-present	Please contact the Department for further information
(A)(1), Indecent behavior in the presence of the child	8/15/2006-present	§21.11(a)(2), Indecency with a child by exposure
(A)(2), transmission of electronic communications	8/15/2006-present	Please contact the Department for further information

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JUVENILE OFFENSE(S)


Unit 1.03

Adjudication of Delinquent Conduct: **Post 10 Years**, whether Texas or non-Texas §62.101(c)(1)

Juvenile certified as an adult*: **Post 10 Years**, whether Texas or non-Texas §62.101(b)

*Maximum juvenile age varies by state

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EXTRA-JURISDICTIONAL OFFENSE (EJO)


§62.001(10)

Offense is not SSO; however, required to register under:

- The laws of another state which DPS has entered into a reciprocal registration agreement;
- Federal law or the Uniform Code of Military Justice; OR
- The laws of a foreign country

Unit 1.04

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EXTRA-JURISDICTIONAL OFFENSE (EJO)


§62.052

- ✓ Registration expires based on the other jurisdiction
- ✓ Annual Verification

Federal and Military EJOs:
Tier I – 15 Years; Tier II – 25 Years; Tier III - Lifetime
EJO time counts down while on community supervision

Unit 1.04

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CONDITION OF SUPERVISION (BOO/COO/ICC)

Unit 1.05

Offense is not SSO or EJO; however, required to register if:

- Board ordered to register while on parole (BOO)
- Court ordered to register while on probation (COO)
- Interstate Compact Condition requiring registration while on supervision (ICC), also known as Interstate Compact Offender Tracking System (ICOTS)

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CONDITION OF SUPERVISION (BOO/COO/ICC)

Unit 1.05

- Use 8-digit code in criminal history
- Need the order requiring registration
- Registered only while on supervision
- Upon discharge from supervision, send discharge paperwork and SOR-33 Request for Removal form

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SORNA Portal Task Management

Unit 1.06

Sex Offender Registration and Notification Act (SORNA)

- Communication between states
- Not all states use the SORNA Exchange Portal
- Review current and past Move-in and Move-Out tasks

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SORNA Portal Task Management

The Sex Offender Registration and Notification Act (SORNA) Exchange Portal was created by the US Department of Justice to facilitate the sharing of information when a registered sex offender relocates from one state, territory, or tribe to another. Registration jurisdictions can leverage the Portal to collaborate with one another in order to improve their sex offender management process. Texas participates in the SORNA Exchange Portal by creating or responding to Relocation Tasks on registrants who make interstate moves, which can be accessed via this page and the following links.

Moving In Relocation Tasks

A "Moving In" Relocation Task is a notice from another state, territory, or tribe indicating that one of their registered sex offenders has intent to relocate into Texas. Once a Task is assigned, there is an expectation to respond to the Task. Responding to Tasks ensures that sex offender registration compliance is achieved, and the sending state is notified that the person did or did not appear for registration in Texas. To view your agency's incoming tasks or to search all incoming tasks by name, click on the link below:


[Move In](#)

Moving Out Relocation Tasks

A "Moving Out" Relocation Task is a notice to another state, territory, or tribe indicating that a registered sex offender in Texas has intent to relocate into their jurisdiction. Processing these Tasks also ensures that sex offender registration compliance is achieved. Check back with your "Moving Out" tasks to see whether the registrant completed registration, has no duty to register, or did not appear for registration in the other state. To view outgoing tasks that your agency created, click on the link below:

[Move Out](#)

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Popular Searches

SID Search

Name Search

Map Search

Texas Secure Sex Offender Registry

Notices, Forms, Resources

Texas, State, and National Contacts

Non-Texas Offense Determinations

SORNA Portal Task Management

Account Management

My Account

New User Signup

Search by Sex Offender's Last Name or Initial

Last Name / Initial * [Submit](#)

Search by Status

Search:

Assigned Status	SORNA Task Status	Count	
Assigned	Complete	37	Detail
Assigned	OffenderDidNotReport	5	Detail
Assigned	OffenderDoesNotNeedToRegister	14	Detail
Assigned	Open	3	Detail

Showing 1 to 4 entries

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Search by Offender Name – Smith

Offender Name	Residence Address	Departure Date	SORNA Task Status	SID	Assigned Status	Assigned Organization
Paul Smith	9137 First St Anytown, TX	01/18/2015	Complete	09672881	Assigned	Anytown Police Dept
Jason Eric Smith	1596 CR 123 Anytown, TX	02/07/2022	OffenderDidNotReport		Assigned	Any County Sheriff's Office
Jeffery Smith	852 Main St Anytown, TX	05/16/2017	Complete	17398246	Assigned	Anytown Police Dept
Jason Eric Smith	1234 Main St Anytown, TX	09/14/2021	OffenderDidNotReport		Assigned	Anytown Police Dept
Brian Smith	3694 CR 45 Center, TX	04/02/2007	Complete	06497135	Assigned	Center Police Dept
Jason Eric Smith	1234 Main St Anytown, TX	05/15/2024	Open		Assigned	Anytown Police Dept
Albert Smith	7319 Blue St Paris, TX	08/22/2009	Complete	07931752	Assigned	Paris Police Dept


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SORNA – Task Management

[Moving In Sex Offenders](#) [Moving Out Sex Offenders](#)

Offender Name	Offender Date of Birth	Contact Jurisdiction
Jason Eric Smith	02/01/1977	Florida
Contact Name	Contact Phone	Contact Email
Mark Harris	505-432-7890	mharris@florida.gov
Reason for Creating Task	Arrival Date	Departure Date
Visiting for 2 weeks	05/15/2024	05/15/2024
School Address	Work Address	Residential Address
		1010 County Road 158 Anytown, TX 99999
Assigned Status	Registration Status	Attachment
Assigned <input type="button" value="v"/>	Open <input type="button" value="v"/>	JWilliams-RegForm.pdf
Organization Name	SID	Date Created
Anytown Police Dept <input type="button" value="v"/>		05/05/2024

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 **Review Questions**


To determine if a non-Texas offense is substantially similar to a Texas reportable offense, select all the information that is required:

- A. Offense Literal & Statute
- B. Date of Offense
- C. Age of Victim (or minor/adult) at time of offense
- D. Age of Offender at time of offense
- E. Conviction, Adjudication of Delinquent Conduct, or Deferred Adjudication

If an offense is determined not SSO, there is nothing else to review.

- A. True
- B. False


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 **Review Questions**

The SORNA Portal Task Management could help identify an individual's patterns of travel to Texas.

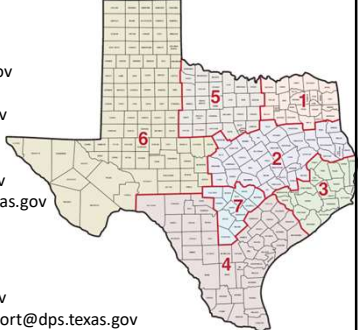
- A. True
- B. False

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 **SOR Training and Development Specialists**

Region 1: Tyon.Cooper@dps.texas.gov
 Region 2: Charles.Francis@dps.texas.gov
 Region 3: Barry.lves@dps.texas.gov
 Region 4: Lindsey.Simon@dps.texas.gov
 Region 5: Irene.Munoz@dps.texas.gov
 Region 6: Rodney.Hall@dps.texas.gov
 Region 7: Michael.Holm@dps.texas.gov
 Asst. Coord. Christine.Eltgroth@dps.texas.gov

Sex Offender Registration Unit
 General Number: (512) 424-2800
 General Fax: (512) 424-7702
 General Email: TxSOR@dps.texas.gov
 Secure Site Support Email: TxSOR-Support@dps.texas.gov



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